

Appl. No. 10/605,959
Amdt. Dated 8 September 2005
Reply to Office action of 9 June 2005

REMARKS/ARGUMENTS

Applicant appreciates the consideration shown by the Office, as evidenced by the Office Action, mailed on 9 June 2005. In that Office Action, the Examiner noted that claims 1-56 and 72-76 were withdrawn from consideration; allowed claims 67-71; objected to claims 59, 64, and 65; and rejected claims 57, 58, 60-63, and 66. After consideration of the Office Action, claims 57, 59, 62, 64, and 66 have been amended, and claims 1-56 and 73-76 have been canceled. Claims 57-72 are under consideration in the present application. Applicant respectfully requests reconsideration of the application by the Examiner in light of the above amendments and the following remarks offered in response to the Office Action.

Typing error on the Office Action Summary sheet

The Summary sheet indicates that claim 72 is withdrawn from consideration, whereas page 6 indicates it is allowed. Claim 72 depends from claims 67 and 69 which were also allowed. Applicant respects the "withdrawn" status be corrected on the next Office paper.

Elections/Restrictions

Applicant affirms to election of Species 7, claims 57-72 and withdraws the traverse.

Claim Objections

Per the Examiner's helpful suggestion, Applicant has amended claim 62 to change "seal" to "sealed."

Claims Rejections

With respect to the rejection of claims 57, 58, 60, 62, and 66 under 35 USC 103(a) over Kane US2549819 in view of Hayton US5129783, Applicant respectfully submits that the applied references do not teach, suggest, or disclose (either individually or in combination) the amended independent claim 57 and 66 recitations of:

57. An apparatus for distributing a fluid in a gas flow path inside a turbomachine, the apparatus comprising:
at least one stage of a turbomachine, the stage comprising a 360 degree casing and at least one stator blade extending radially from an inner surface of the casing;
a casing groove located at the inner surface of the casing and forming a plenum cavity between the stator blade and the casing;
a stator blade cavity located at an interior of the stator blade, and in fluid communication with the casing groove;
a port located at the casing and in fluid communication with the casing groove; and
at least one orifice located at an orifice surface of the stator blade, the orifice in fluid communication with the stator blade cavity.

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66. An apparatus for distributing an atomized fluid in a gas flow path inside a turbomachine, the apparatus comprising:
at least one stage of a turbomachine, the stage comprising a 360 degree casing and at least one stator blade extending radially from an inner surface of the casing;
a casing groove located at the inner surface of the casing and forming a plenum cavity between the stator blade and the casing;
a stator blade cavity located at an interior of the stator blade, and in fluid communication with the casing groove;
a port located at the casing and in fluid communication with the casing groove; and
at least one atomizer with at least one orifice located at an orifice surface of the stator blade, the orifice in fluid communication with the stator blade cavity.

As stated in the Office Action, Kane does not describe a casing groove. With respect to Hayton, Applicant cannot determine which figure was being referenced (FIG. 4 has no 20) or what is meant by "casing groove (not numbered) located at the inner surface of the casing 20" Regardless, Applicant can find no mention of a groove "forming a plenum cavity between the stator blade and the casing." This feature and several benefits are described in Applicant's Specification paragraph 62.

Claims 58, 60, 62 depend from claim 57 and are believed to be allowable over the applied references for the reason discussed above with respect to claims 57 and 66. Additionally, amended claim 58, for example, further recites "the plenum cavity extends for the entire 360 degrees of the inner surface of the casing." Support for the amendment can be found in paragraph 62, lines 10-11.

With respect to the rejection of claims 61 and 63 under 35 USC 103(a) over Kane in view of Hayton and further in view of Steinetz et al. US6446979, Applicant respectfully submits that each of claims 61 and 63 depends from claim 57 which Applicant believes to be in condition for allowance over Kane and Hayton for the reasons discussed above regardless of whether Steinetz teaches or suggests a rope seal.

In summary, Applicant respectfully submits that claim 57, claims 58 and 60-63 which depend therefrom, and claim 66 define allowable subject matter over the applied art.

Allowable Subject Matter

Applicant notes that claims 67-72 were allowed and claims 59, 64, and 65 were objected to as being dependent upon a rejected base claim. The Examiner indicated that claims 59, 64, and 65 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 59 and 64 were amended in this manner. Claim 65 depends therefrom. Therefore, Applicant submits that claims 59, 64, and 65 are now in condition for allowance.

Summary

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should the Examiner believe that anything further is needed to place the application in even

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better condition for allowance, the Examiner is requested to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

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